HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Writ Petition (C) No. 5825/2007

Petitioners Applicants

1. Smt. Sunita Pandey, W/o Late Shri Youvraj Pandey, aged about 33 years,
2. Ram Gopal Pandey, S/o Late Shri Youvraj Pandey, aged about 12 years,
3. Prashant Pandey, S/o Late Shri Youvraj Pandey, aged about 10 years,

Petitioners No. 2 & 3 Through: Natural guardian Smt. Sunita Pandey

All R/o Pithora, Thana – Pithora, Distt. Mahasamund (C.G.).

versus

RESPONDENTS Non-applicants

1. Ram Avadh Yadaw, S/o Shiv Shankar Yadaw, aged about 27 years, R/o Almanganj, Thana Satpura, Distt. Baliya (U.P.) Through- S.S. Road Lines, Tatibandh, Raipur (C.G.)
2. Guljar Singh, S/o Nirmal Singh, aged about 27 years, R/o-5 Chandranath Chaterjee Marg, Bhavanipur, Distt. Kolkata (W.B.) Through- S.S. Road Lines, Tatibandh, Raipur (C.G.)
3. National Insurance Company Lmt. Poddar Court Get No. 4, 18 Ravindra Saini, Kolkata (West Bengal) Through- National Insurance Comp. Ltd., G.E. Road, Raipur, Distt. Raipur (C.G.)

Writ Petition Under Article 227 of the Constitution of India

Present : Ms. Sharmila Singhai, counsel for the petitioners.

ORAL ORDER
(Passed on 25th September, 2007)

Heard.

Petitioners are aggrieved by the order dated 09-05-2007 passed by IInd Additional Motor Accidents Claims Tribunal, (hereinafter referred to as "the M.A.C.T."), Mahasamund whereby the application for transfer of the amount of compensation deposited in Punjab National Bank, Mahasamund to Dena Bank, Saraipali on the ground that the petitioners-Widow and her two minor children were residing in Saraipali was rejected.

The details of the fixed deposits made in favour of the petitioners in the Punjab National Bank, Mahasamund are as under:

Type of deposit	Receipt No.	Beneficiary	Amount	Date of deposit	Date of Maturity
Spectrum deposit	1151110	Smt. Sunita Pandey	1,34,446.00	05.02.2007	05.02.2012
-do-	1151108	Prashant Pandey U/G Smt. Sunita Pandey	1,00,000.00	05.02.2007	05.02.2014
-do-	1151109	Ramgopal Pandey U/G Smt. Sunita Pandey	1,00,000.00	05.02.2007	05.02.2013

Learned counsel for the petitioners submits that under the Spectrum Fixed Deposit interest is payable only on maturity. Therefore, since the petitioner is a widow and has to bear her own expenses as also the expenses for the up-bringing of her two minor children, it would be appropriate that the spectrum fixed deposit receipt is converted into a special deposit receipt and thereafter a direction is given to the Punjab National Bank, Mahasamund to remit every month the monthly interest payable on such deposit by way of Account Payee demand draft to the Savings Accounts of the petitioners in the Dena Bank at Saraipali. Learned counsel for the petitioners further submitted that she would make an appropriate application to that effect before the M.A.C.T.

In that view of the matter upon a fresh application being made by the petitioners for conversion of the spectrum fixed deposit receipts

into special fixed deposit receipts with facility of payment of monthly interest as mentioned above, the M.A.C.T., Mahasamund shall pass suitable orders thereon keeping in mind the best interests of the claimants and to avoid any inconvenience to them.

With the above direction, the writ petition stands disposed of.

Sd-/
Dilip Raosaheb Deshmukh
Judge

Kvr